

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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2005 MAR 9 P 3:47  
CIVIL ACTION  
NO. 05 10307-JLT  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

VERMONT MUTUAL INSURANCE COMPANY )  
as subrogee of TIMOTHY D. STEIN and )  
WAYNE ROLF )  
Plaintiff, )  
v. )  
DAVID'S FLOOR SERVICE, INC. )  
and )  
MIN DANG, d/b/a )  
DAVID'S FLOOR SERVICE, )  
Defendants )

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**ANSWER AND JURY CLAIM OF THE DEFENDANTS**

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1. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.
2. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.
3. Admitted.
4. Admitted that Minh Dang is a resident of Massachusetts. Denied that he did business as David's Floor Service.
5. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.

6. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.
7. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.
8. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.
9. Admitted insofar as the allegation pertains to David's Floor Service, Inc.; denied as to Minh Dang d/b/a.
10. Admitted as to David's Floor Service, Inc.
11. Admitted that there was a fire at the property; defendants are unsure as to whether there was an explosion.
12. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.
13. The defendants are without knowledge or information sufficient to form a belief as to the truth of the allegations in this paragraph.

Count I

14. The defendants incorporate by reference their responses to the preceding allegations.
15. Denied.
16. Denied.

Count II

17. The defendants incorporate by reference their responses to the preceding allegations.
18. Denied.
19. Denied.

First Affirmative Defense

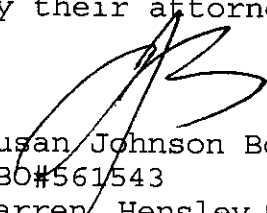
Count II of the Complaint should be dismissed as no such entity "Minh Dang d/b/a David's Floor Service", exists.

Jury Claim

The defendants claim a trial by jury as to all issues.

The defendants,  
by their attorney,

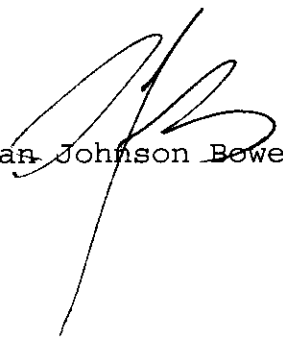
Date: March 8, 2005



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**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing document on the parties to this case by mailing a copy hereof, postage prepaid, to Patrick J. Loftus, Esq., LAW OFFICE OF PATRICK J. LOFTUS, No. 9 Park Street, Suite 500, Boston, MA 02108 and James, P Cullen, Jr., Esq., COZEN O'CONNOR, 1900 Market Street, The Atrium-Third Floor, Philadelphia, PA 19103 on March 8, 2005.

  
Susan Johnson Bowen